

|   |   |                     |        |             |  |  |  |  |  |  |  |  |  |
|---|---|---------------------|--------|-------------|--|--|--|--|--|--|--|--|--|
| <b>P24225.P01</b><br><div style="text-align: center;"><b>UTILITY<br/>PATENT APPLICATION<br/>TRANSMITTAL</b></div> <p>(Only for new nonprovisional applications under 37 CFR 1.53(b))</p>  | <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%;">Attorney Docket No.</td> <td style="width:33%;">P24225</td> <td style="width:33%;">Total Pages</td> <td></td> </tr> <tr> <td colspan="4">Inventor(s) or Application Identifier<br/><b>Hiroshi OHSAWA</b></td> </tr> <tr> <td colspan="4">Title: <b>VARIABLE OPERATING VALVE APPARATUS FOR AN INTERNAL COMBUSTION ENGINE</b></td> </tr> </table>   | Attorney Docket No. | P24225 | Total Pages |  | Inventor(s) or Application Identifier<br><b>Hiroshi OHSAWA</b> |  |  |  | Title: <b>VARIABLE OPERATING VALVE APPARATUS FOR AN INTERNAL COMBUSTION ENGINE</b> |  |  |  |
| Attorney Docket No.   | P24225  | Total Pages         |        |             |  |  |  |  |  |  |  |  |  |
| Inventor(s) or Application Identifier<br><b>Hiroshi OHSAWA</b>  |   |                     |        |             |  |  |  |  |  |  |  |  |  |
| Title: <b>VARIABLE OPERATING VALVE APPARATUS FOR AN INTERNAL COMBUSTION ENGINE</b>  |   |                     |        |             |  |  |  |  |  |  |  |  |  |
| <p>ADDRESS TO: <b>Commissioner for Patents<br/>Mail Stop Patent Application<br/>PO Box 1450<br/>Alexandria, VA 22313-1450</b></p>   |   |                     |        |             |  |  |  |  |  |  |  |  |  |
| <b>APPLICATION ELEMENTS</b>   | <b>ACCOMPANYING APPLICATION PARTS</b>   |                     |        |             |  |  |  |  |  |  |  |  |  |
| <p>1. <input checked="" type="checkbox"/> Fee Transmittal Form<br/>(Submit an original, and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status.<br/>See 37 CFR 1.27.</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> Small Entity Statement(s)</p> <p>3. <input checked="" type="checkbox"/> Specification (preferred arrangement set forth below) [Total Pages <u>21</u> ]</p> <ul style="list-style-type: none"> <li>- Descriptive title of the Invention</li> <li>- Cross References to Related Applications</li> <li>- Statement Regarding Fed sponsored R &amp; D</li> <li>- Reference to sequence listing, a table, or a computer program listing appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings (if filed)</li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets <u>9</u> ]</p> <p>5. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages <u>3</u> ]</p> <p style="margin-left: 20px;">a. <input checked="" type="checkbox"/> Newly executed (original or copy) <input type="checkbox"/> Unexecuted</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))<br/>(for continuation/divisional with Box 20 completed)<br/>[Note Box 6 below]</p> <p style="margin-left: 40px;">i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br/>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Incorporation By Reference (useable if Box 5b is checked)<br/>The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</p> <p>7. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> <p>8. <input type="checkbox"/> CD-Rom or CD-R in duplicate, large table or Computer Program (Appendix)</p> | <p>9. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> Computer Readable Form (CRF)</p> <p style="margin-left: 20px;">b. Specification Sequence Listing on:</p> <p style="margin-left: 40px;">i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</p> <p style="margin-left: 40px;">ii. <input type="checkbox"/> paper</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> Statements verifying identity of above copies</p> <p>10. <input checked="" type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>11. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) <input type="checkbox"/> Power of Attorney</p> <p>12. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>13. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>14. <input type="checkbox"/> Preliminary Amendment</p> <p>15. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)<br/>(Should be specifically itemized)</p> <p>16. <input checked="" type="checkbox"/> Figure of Drawing to be published <u>1</u></p> <p>17. <input checked="" type="checkbox"/> Foreign priority claimed</p> <p style="margin-left: 20px;">a. <input checked="" type="checkbox"/> Claim of Priority</p> <p style="margin-left: 20px;">b. <input checked="" type="checkbox"/> Certified Copy of Priority Document(s)</p> <p>18. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b) (2) (B) (i).<br/>Applicant must attach form PTO/SB/35 or its equivalent.</p> <p>19. <input checked="" type="checkbox"/> Assignee: <u>Suzuki Motor Corporation</u><br/><u>of Shizuoka-ken, Japan</u></p> <p>20. <input checked="" type="checkbox"/> Other: <u>Cover Letter Regarding Executed Application</u></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> |                     |        |             |  |  |  |  |  |  |  |  |  |
| <p>21. If a <b>CONTINUING APPLICATION</b>, check appropriate box and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 C.F.R. 1.76:</p> <p><input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior Application No. _____/_____, filed _____.</p> <p>Prior application information: Examiner: _____ Group Art Unit: _____</p>   |   |                     |        |             |  |  |  |  |  |  |  |  |  |

Address all future correspondence to **Customer No. 7055** at the present address of:

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12-8-03  
Date

Bruce H. Bernstein, Reg. No. 29,027  
Signature

Will. E. Lybl Reg. No.  
Typed or Printed Name 41,568

1225 R02  
13281 U.S. PTO  
120803

# FEE TRANSMITTAL

## Complete if Known

|                      |                       |
|----------------------|-----------------------|
| Application Number   | Not Yet Assigned      |
| Filing Date          | Concurrently Herewith |
| First Named Inventor | Hiroshi OHSAWA        |
| Group Art Unit       | Unassigned            |
| Examiner Name        | Unassigned            |

TOTAL AMOUNT OF PAYMENT (\$)**810.00**

Attorney Docket Number P24225

## METHOD OF PAYMENT (check one)

1. ☒ The U.S. Patent and Trademark Office is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 19-0089

Deposit Account Name GREENBLUM & BERNSTEIN, P.L.C.

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136(a)(3))

☐ Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b)

☐ Applicant Claims Small Entity Status See 37 CFR 1.27.

2. ☒ Payment Enclosed:

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION (fees effective 10/01/03)

### 1. FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | Fee Paid      |
|----------------|-----------------|----------------|-----------------|------------------------|---------------|
| 1001           | 770             | 2001           | 385             | Utility filing fee     | <u>770.00</u> |
| 1002           | 340             | 2002           | 170             | Design filing fee      |               |
| 1003           | 530             | 2003           | 265             | Plant filing fee       |               |
| 1004           | 770             | 2004           | 385             | Reissue filing fee     |               |
| 1005           | 160             | 2005           | 80              | Provisional filing fee |               |

SUBTOTAL (1) (\$) 770.00

### 2. CLAIMS

| Total Claims              | Extra | Fee from below | Fee Paid |
|---------------------------|-------|----------------|----------|
| 10 -20=                   | 0     | x 18           | = 0      |
| Independent 3 -3=         | 0     | x 86           | = 0      |
| Claims                    |       |                |          |
| Multiple Dependent Claims | 0     | x 290          | = 0      |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description   |
|----------------|-----------------|----------------|-----------------|---|
| 1202           | 18              | 2202           | 9               | Claims in excess of 20                                  |
| 1201           | 86              | 2201           | 43              | Independent claims in excess of 3                       |
| 1203           | 290             | 2203           | 145             | Multiple dependent claim                                |
| 1204           | 86              | 2204           | 43              | Reissue independent claims over original patent         |
| 1205           | 18              | 2205           | 9               | Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 0.00

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description  | Fee Paid     |
|----------------|-----------------|----------------|-----------------|--|--------------|
| 1051           | 130             | 2051           | 65              | Surcharge - late filing fee or oath  |              |
| 1052           | 50              | 2052           | 25              | Surcharge - late provisional filing fee or cover sheet.                    |              |
| 1053           | 130             | 1053           | 130             | Non-English specification  |              |
| 1812           | 2,520           | 1812           | 2,520           | For filing a request for reexamination                                     |              |
| 1804           | 920*            | 1804           | 920*            | Requesting publication of SIR  |              |
|                |                 |                |                 | Prior to Examiner action   |              |
| 1805           | 1,840*          | 1805           | 1,840*          | Requesting publication of SIR after Examiner action                        |              |
| 1251           | 110             | 2251           | 55              | Extension for response within 1st month                                    |              |
| 1252           | 420             | 2252           | 210             | Extension for response within 2nd month                                    |              |
| 1253           | 950             | 2253           | 475             | Extension for response within 3rd month                                    |              |
| 1254           | 1,480           | 2254           | 740             | Extension for response within 4th month                                    |              |
| 1255           | 2,010           | 2255           | 1,005           | Extension for response within 5th month                                    |              |
| 1401           | 330             | 2401           | 165             | Notice of Appeal   |              |
| 1402           | 330             | 2402           | 165             | Filing a brief in support of an appeal                                     |              |
| 1403           | 290             | 2403           | 145             | Request for oral hearing   |              |
| 1451           | 1,510           | 1451           | 1,510           | Petition to institute a public use proceeding                              |              |
| 1452           | 110             | 2452           | 55              | Petition to revive unavoidably abandoned application                       |              |
| 1453           | 1,330           | 2453           | 665             | Petition to revive unintentionally abandoned application                   |              |
| 1501           | 1,330           | 2501           | 665             | Utility issue fee (or reissue)   |              |
| 1502           | 480             | 2502           | 240             | Design issue fee   |              |
| 1503           | 640             | 2503           | 320             | Plant issue fee  |              |
| 1460           | 130             | 1460           | 130             | Petitions to the Commissioner  |              |
| 1807           | 50              | 1807           | 50              | Petitions related to provisional applications                              |              |
| 1806           | 180             | 1806           | 180             | Submission of IDS  |              |
| 8021           | 40              | 8021           | 40              | Recording each patent assignment per property (times number of properties) | <u>40.00</u> |
| 1809           | 770             | 2809           | 385             | Filing a submission after final rejection (37 CFR 1.129(a))                |              |
| 1810           | 770             | 2810           | 385             | For each additional invention to be examined (37 CFR 1.129(b))             |              |
| 1801           | 770             | 2801           | 385             | Request for Continued Examination (RCE)                                    |              |
| 1802           | 900             | 1802           | 900             | Request for expedited examination of a design application                  |              |

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

SUBTOTAL (3) (\$) 40.00

\*Reduced by Basic Filing Fee paid

## SUBMITTED BY

Typed or Printed Name Bruce H. Bernstein

Signature

*Will. E. Zeld Reg. No. 41,568*

Date

*12-8-03*

## Complete (if applicable)

Reg. Number

29,027

Deposit Account User ID

P24225.A01

PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hiroshi OHSAWA

Office of Initial Patent Examination

Appln. No.: Not yet assigned

Filed: Concurrently herewith

For: VARIABLE OPERATING VALVE APPARATUS FOR AN  
INTERNAL COMBUSTION ENGINE

**COVER LETTER REGARDING EXECUTED APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned points out that the executed application being filed herewith includes pages 1 - 3 of the executed declaration which were forwarded by facsimile, and pages 1 - 21 of the specification (with Figures 1 - 10) which were provided by the law firm of the undersigned. It is noted that the pages submitted by the law firm of the undersigned are identical to those sent to the assignee of the present application.

Accordingly, Applicant respectfully submits that the present application is properly executed and should be considered as filed in executed form. However, if the U.S. Patent and Trademark Office determines that the present application is not properly executed, Applicant respectfully requests that the present application be treated as an unexecuted

P24225.A01

application under 37 C.F.R. 1.53(f).

Should there be any questions regarding this paper, please contact the undersigned at the below listed number.

Respectfully submitted,  
Hiroshi OHSAWA

Will. E. Lyall Reg. No.  
Bruce H. Bernstein 41,568  
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December 8, 2003  
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